

G. R. S. IX-5]

Previous references.

1891-92

File No. 9

~~191~~

Serial Nos. 1-2

(Courts)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B for December 1892

SUBJECT

Promotion
Temporary ~~arrangement~~ in the Proce.
Establishment of the yadahalli munsiff's
court.

*Countermarked.
Completed
Indicated
replied*

Proceedings of the Govt.
His Highness the Maharaja
of Mysore

(2)

Read letter from the
Registrar of the Chief
Court No. $\frac{2374}{74}$ dated 16th
ultimo requesting that
the Comptroller maybe
directed to withdraw
his objection to the
sanction accorded by
the Chief Court for cer-
tain temporary pro-
motions made in
the process establish-
ment of the Yedakully
Munsiff's Court—
order

As pointed out in the
6th of the Rules, 1910, the
Munsiff's Court No. 261 must
be read with those
promulgated with the
No. 261 of same date and the
Port

The Govt are of
opinion that the pro-
portion of arrears
and peons specified
in

Chief Clerk

in para 4 of the notification no: 267 of 10th Jan'y 1880 has reference to the permanent and not the temporary process establishment, which may fluctuate with the number of processes issuing from a Court and that promotions to the 1st grade should be regulated by the strength of the former and not the latter establishment.

Print

Chief secretary

To
The Registrar
Comptroller

concern in the notification of the 1st as appears in paras 3 & 5 of the Regs letter read above

The Prop will be increased in demand according to requirements of each pt from time to time, and it is on this account Rule 3 of the Str Act which now empowers a Dy Commr to make the requisition or reduce as he may from time to time deem proper. The measure is applicable to both Comptroller of Accounts, & Treas, as well as

the ~~present~~ of ~~the~~
of the ~~no~~ ~~round~~ ~~for~~
each grade ~~of~~ ~~1~~ ~~10~~
in accordance with
the ~~provisions~~ of Rule 4
of the Rules ~~part~~ ~~of~~ ~~the~~
Rules —

The sample has
apparently miscounted
the Rules ~~in~~ ~~the~~ ~~and~~
as his objection
cannot be supported
has requested ~~to~~
withdraw the same
and upon the
basis in accord
with the sanction accorded
of the ~~Department~~ ^{approval of} ~~of~~ ~~the~~
in the Rules

APJ

18712

Draft for approval
of 1/19/12
V.L. 16/12

The order
drafted as was
The order was
very carefully
considered ~~before~~
before the letter of the
BAG was sent.

I have resubmitted
the order

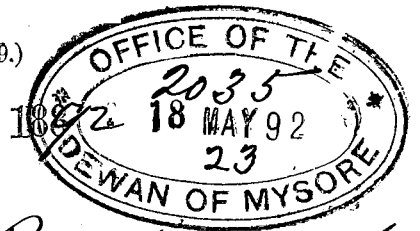
For 1/2 margin
content

Just
1/19/12

AP

18/12

(General Serial No. 29.)



From

The Registrar of the
Chief Court, Mysore

To

Chief
The Secretary to the Dewan
of Mysore.

Dated 16 May 1892

Despatched 18

Received

Enclosures No. two

General No. 2374 } 188 — 8
No. 74 }

Requests that Government
may direct the Comptroller
to withdraw his objection
to the D. Judge of Nagpur
sanctioning certain
temporary promotion
in the process establish-
ment of the Yedabully
Dimmuff's boat.

Ref Mrn 20/5

To.

Genl Record.

20/5

References sent up

20/5

20/5

Low Subbaiahg 20/5, Asst. Secy.

Mrn 23/5/92

Sub into dupl
13692

Courts
9-1891
28

20.5.92 20.5.92

N^o. 2374 In: two
74

✓

Bangalore

16th May 1892.

From,

The Registrar of the
Chief Court of Mysore

To,

The Chief Secretary
to the Dewan of Mysore.

(1)

Sir,

I am directed to state that, under the powers vested in the District Judge of Nagar under Rule 3 of the Rules published with Notification No: 262 dated 10th Janu-
-ary 1880 and para 4 of the Rules of same date published with Notification No: 261, he has sanctioned an increase to the Process Establishment of the yadahalli Munsiff's Court, fixing the scale according to Rules and pro-
-viding for the temporary ⁺ promotion to the 1st grade of an amil and a pwan - Vide copy of proceedings marked as

A does not provide
of temporary promotion.

2. This was approved of by this Court and the Comptroller, who was duly informed of the same, took objection to the sanction, on the ground that the Rules did not apply to temporary promotion. It was pointed out

to him that Rule 4 of Notification No: 261 must be read with Rule 3 of Notification No: 262 in fixing the scale of 1st and 2^d grade amins or pions Vide correspondence marked B. The Comptroller however entertains a doubt as to whether Rule 3 of Notification No: 262 authorizes the admission of the proportion specified in para 4 of Notification No: 261 and has suggested that the special sanction of Government should be asked and an authoritative ruling obtained on the subject

3. In accordingly submitting the reference for the orders of Government I am directed to state that the Process Establishment is increased or reduced from time to time according to the requirements of each Court and that the number of amins and pions in each grade is regulated according to the Rules without regard to the fact that the Establishment is permanent or temporary. This has been done ever since the promulgation of the Rules of 1880 and the objection has now been taken for the first time by the Comptroller.

4. It seems to the Judges that Rules

5. It may here be remarked that the Process Establishments, whether permanent or temporary, are subject to reductions whenever the income from Process fees, is found insufficient to maintain the establishments on the sanctioned scale. In this view the whole Process Establishment is not of a permanent character and this is apparently the reason why no distinction was made in the Rules between temporary and permanent Establishments.

6 I am therefore, directed to request that the Government may be pleased to direct the Comptroller to withdraw his objection and to allow the practice, which has obtained for the past 8 years to

continue

Distribution
 made per memo
 3. Hoff to 262
 each unit is a person
 as for the household
 calculation - *James Jones*

continue in force

I have the honor to be,
Sir,

your most obedient Servant

Stamicee den
Registrar.

m'm

6 A on '56 1

Proceedings of the District Judge of Nagari.

Dated Shimoga the 15th January 1891

Dropt. — 16th — do — do

Read yadnanalli Munsiff No: 2 dated 5 January 1891 Soliciting sanction for the retention of one Amin and one peon temporarily sanctioned in this Court's Proceedings No: 9 dated 8th January 1890.

The Munsiff represents that the work of the Process Establishment is steadily on the increase from 1886 and that the present permanent establishment of two Amins and seven peons is quite inadequate to cope with the heavy work.

The Subjoined Statement shows not only that the work is gradually increasing but that the income is also sufficiently great to meet the expense of an increase of establishment.

Year	No. of Process to be served by the Amins	No. of Pro- cesses to be served by the Peons.	Income			Total Expenditure			Savings		
1886	284	2576	1215	8	"	814	1	10	401	6	2
1887	241	2453	1205	"	"	989	5	4	215	10	8
1888	418	2786	1467	"	"	1091	12	4	375	3	8
1889	423	3628	1759	4	"	1350	15	11	408	4	1
1890	509	3788	1668	12	"	1352	5	7	316	6	5

7

Considering the difficulty of travelling in the Malnad parts as pointed out by the Munsiff the temporary establishment of one Amm and one peon will be kept on for a further period of another year, pending the disposal of the question of permanent establishment throughout the Division

Ordered that a copy of these proceedings be forwarded to the Munsiff of yrdahally, and that another copy be submitted to the Chief Court for approval

Sd/- C. Cress

District Judge

Nagar Division

Copy
Stenography Clerk
Registrar.

No. $\frac{1353}{48}$

B

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Qu. DL 1

Dated $\frac{28}{30}$ March 1892.

From

The Registrar of the
Chief Court of Mysore

To

The Comptroller in
Mysore

His No: 5930 dated 21st Instant-

In reply has the honor to state
that Rule 4 published with Notification
no 261 must be read with Rule 3 published
with Notification no: 262 and the hands on
the permanent and temporary establishments
taken into account in grading the Ameen
and Peon and that the Sanction ac-
corded to one 1st grade Ameen and one
1st grade peon is in conformity with the
Rules

There are at present 3 Ameen and
8 peons on the Process establishment of
the Yedahalli Munsiff's Court One Ameen
of the 1st grade (temporarily promoted) and
2 peons of the 1st grade (one of whom is
temporarily promoted) is exactly the proportion
prescribed by Rule 4 and which ought

9

to be maintained so long as there are 3 Amicus
and 8 peons attached to the said Court.

By order

Sd/- J. Hanayee Khar

Registrar

copy

J. Hanayee Khar
Registrar.

min

W

(2)

MADRAS

Proceedings of the Govt
of His Highness the
Maharajah of Mysore

Cawls

9-1891

Sl 2

Read letter from
the Registrar of the
Chief Court no: $\frac{2374}{74}$ dated
16th ultimo requesting
that the comptroller
may be directed to with-
draw his objection to
the sanction accorded
by the Chief Court for
certain temporary pro-
motions made in the
process establishment
of the yedahully
Munsiff's Court

No $\frac{11869-70}{2597-92}$ $\frac{\text{Order}}{\text{22.6.12.92}}$

As pointed out by
the

the Chief Court the Rules
published with Notifica-
tion no 261 dated 10th
January 1880 must be
read with those promul-
gated with Notification
no: 262 of same date &
Govt concur in the view
taken by the Chief Court
as expressed in paras
3 to 5 of the Registrar's
letter read above

2 The Process Establish-
ment has to be increased
or decreased, according
to requirements of each
Court, from time to time,
and it is on this ac-
count Rule 3 of the
Rules published with
Notification no: 262
empowers a District Judge
to

12
to make the requisite
increase or reduction
as he may from time
to time deem necessary.
The increase or decrease
so made applies to
both classes of officials,
juns and seons as
well as to the fixing
of the number required
for each grade. 1st and
2nd in accordance
with the provisions of
Rule 4 of the Rules pub-
lished with notifica-
tion no. 261

3 The comptroller
has apparently mis-
construed the Rules
in question and as
his objection cannot
be

be supported he is
requested to withdraw
the same and to pass
the charges in accordance
with the sanction
accorded by the Distt
Judge and approved
of by the Chief Court
under the Rules.

Inppdewans
Approval
20/12

J

Chief Secretary

20/12

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The Deputy Chief
Comptroller in charge